

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION**

**RYAN STEVEN PENDERGRAFT,**

**Petitioner,**

**v.**

**WARDEN DARRYL DREW, ET AL.,**

**Respondents.**

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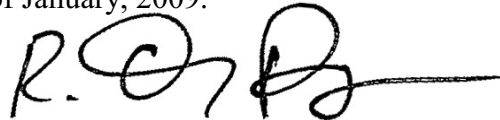
**Case No.: 5:07-cv-783-RDP-PWG**

**MEMORANDUM OF OPINION**

The magistrate judge filed his findings and recommendation on December 2, 2008, recommending that the petition for writ of habeas corpus be dismissed. The parties were allowed an opportunity in which to file objections. No objections have been filed to the findings and recommendation.

Having carefully reviewed and considered *de novo* all the materials in the court file, the court is of the opinion that the magistrate judge's findings are due to be and are hereby **ADOPTED** and his recommendation is **ACCEPTED**. Accordingly, the petition for writ of habeas corpus is due to be dismissed. A Final Judgment will be entered.

**DONE and ORDERED** this 7th day of January, 2009.



**R. DAVID PROCTOR**  
UNITED STATES DISTRICT JUDGE